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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/111,604	07/07/1998	MOHAMED K. DIAB	MASIMO.007C3	6003
20995	7590	05/20/2011	EXAMINER	
KNOBBE MARLENS OLSON & BEAR LLP			WINAKUR, ERIC FRANK	
2040 MAIN STREET			ART UNIT	PAPER NUMBER
FOURTEENTH FLOOR			3777	
IRVINE, CA 92614				
NOTIFICATION DATE		DELIVERY MODE		
05/20/2011		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/111,604	07 July 1998	DIAB ET AL.	MASIMO.007C3
EXAMINER			
ERIC WINAKUR			
ART UNIT	PAPER		
3777	20110516		

DATE MAILED:

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**Commissioner for Patents**

Applicant's information disclosure statement of 10 May 2011 was filed after the issue fee was paid. Information disclosure statements filed after payment of the issue fee will not be considered, but will be placed in the file. However, the application may be withdrawn from issue in order to file a request for continued examination (RCE) under 37 CFR 1.114 upon the grant of a petition under 37 CFR 1.313(c)(2), or a continuing application under 37 CFR 1.53(b) (or a continued prosecution application (CPA) under 37 CFR 1.53(d) if the CPA is for a design patent and the prior application of the CPA is a design application) upon the grant of a petition filed under the provisions of 37 CFR 1.313(c)(3). Alternatively, the other provisions of 37 CFR 1.313 may apply, e.g., a petition to withdraw the application from issue under the provisions of 37 CFR 1.313(c)(1) may be filed together with an unequivocal statement by the applicant that one or more claims are unpatentable over the information contained in the statement. The information disclosure statement would then be considered upon withdrawal of the application from issue under 37 CFR 1.313(c)(1).

Attachment: Copy of 1449

/Eric F Winakur/  
Primary Examiner, Art Unit 3777